Absent and not voting—Senators Burney, Ingram, Mott and Pope.

The following telegram was received from Lieutenant Governor Wheeler:

FORT WORTH, Jan. 18.

Hon. G. C. Pendleton, Austin-Sickness prevents my presence at inauguration. Permit me to congratulate you and Texas on your inauguration as lieutenant governor.

T. B. WHEELER.

By Senator Simkins, a resolution:

That the telegram re-Be it Resolved, ceived from the Hon. T. B. Wheeler, Lieutenant Governor of the State of Texas, announcing his inability to attend the present session of the senate and the inaugural of the incoming administration, be spread upon the journals, and the senate of Texas hereby expresses its regret for the enforced absence of the lieutenant governor, as well as its sincere sympathy in his sickness and wish him a speedy recovery.

Adopted.

The following invitation from the South Austin Literay society was received and read:

Assembly Room of the South Aus-TIN LITERARY SOCIETY, (Fulmore Building.) South Austin, Tex., Jan. 15, 1891.

Members of the Twenty-second Legislature, (Senate):

You are respectfully requested to attend the meeting of the South Austin Literary society, to become members, and to assist in carrying out a programme which we shall hereafter use every effort to make entertaining.

Respectfully Yours, H. J. KETCHUM, President, Miss L. C. Diener, Secretary, KERNEL CRAIG, Treasurer.

It was announced that Mr. Zol Wood had been appointed clerk of the committee on Incorporated Cities and Towns.

Senator Simkins called for a report on senate bill No. 15.

It was ascertained that the bill was in the hands of the printer.

Senator Johnson moved that the sergeant-at-arms be instructed to ascertain and report when the bill would be printed.

Adopted.

A message having been received from the Governor relative to confirmation.

On motion of Senator Stephens the Sen. ate went into executive session.

(In the Senate.)

Senator Tyler moved that Senator Cran-

ford be added to judiciary committee No.

Adopted.

Senator Johnson announced that the Committee on Internal Improvements would meet Wednesdays and Saturdays at 2:30 p. m.

On motion of Senator Carter Senate adjourned till tomorrow morning at 10 o'clock.

SEVENTH DAY.

SENATE CHAMBER, Austin, Tex., Jan. 20, 1891.

Senate met pursuant to adjournment, President Pro Tem Burges in the chair.

Prayer by the chaplain, Dr. Smoot. Roll called.

Quorum present, the following senators answering to their names:

Clemens, McKinney. Crane, Maetze, Carter, Potter, Cranford, Page, Seale. Frank. Finch, Stephens, Harrison, Sims. Johnson, Townsend. Kearby, Whatley, Kimbrough, Weisiger, Lubbock.

On motion of Senator Carter, the reading of the journal was dispensed with.

The president announced that the public printer was present and desired to make some explanations to the Senate.

No objection being raised, the public printer explained that no bill had been in his hands more than two days, unless Sunday had intervened.

Senator Pope desired to know if bills would hereafter be printed within two or three days at the farthest after they had been placed in the hands of the printer.

The public printer said that ordinarily they would, and that they would always be done as soon as possible.

On motion of Senator Kearby

The explanation of the public printer

Accepted.

Senator Kearby moved that Saturday's journal be corrected so as to show that Senator Pope was excused, and

It was so ordered.

The president announced the morning call and the following bills and resolutions were introduced.

By Senator Cranford (by request):

A bill to be entitled "An act to amend section 17, of an act to provide for the speedy enforcement of the lieus of mechanics, contractors, sub-contractors, builders, laborers and material men, and to repeal all existing laws and parts of laws in conflict with the provisions of this act. Approved April 5, 1889 "

Referred to Judiciary Committee

By Senator Seale:

A bill to be entitled "An act to provide for the perpetuating of testimony pertaining to titles to lands in the state of Texas.

Referred to Judiciary Committee

No. 1.

By Senator Kearby:

A bill entitled "An act to require county clerks to furnish tax assessors a statement of all notes, bonds, mortgages, deeds of trust and other evidences of a lien on real estate recorded or filed for record in his office, to provide for the payment for said services and to provide a penalty for failure to furnish the same.

Referred to Judiciary Committee

No. 2.

Senator Page offered the following

resolution:

Resolved, That the Secretary of the Senate be and he is hereby authorized and directed to have a complete list of all committees printed on heavy card board and posted up in prominent places for the information of chairmen and Senators; also the time of meeting of committees.

Adopted.

By Senator Harrison:

A bill to be entitled "An act to amend article 2231, title 38, chapter 2. of the revised civil statutes, previding the manner of returning depositions.

Referred to Judiciary Committee

No. 1.

By Senator Harrison:

A bill to be entitled "Act to amend article 1517a, title 31, chapter 1, of the revised civil statutes of Texas, pro viding for meeting of county commissioners as board of equalization.

Referred to Finance Committee.

By Senator Simkins:

A bill to be entitled "An act to amend chapter 7, title 17, article 718, of the penal code of Texas."

Referred to Judiciary Committee No. 2.

Senator Kearby introduced the fol-

lowing resolution:

Resolved, That herealter no sen-8 J 4

ator introduce a bill by request except the same be upon the request of a fellow senator, and then only when said fellow senator has been excused from attendance by reason of sickness, and provided further that said bill is signed by some ab-ent senator.

Senator Kimbrough asked that the

resolution be explained.

Senator Kearby explained the resolution.

Senator Carter spoke against the resolution.

Senator Potter spoke against the resolution.

On motion of Senator Harrison the resolution was tabled by the following

YEAS-21.

Carter, Harrison, Simkins. Kimbrough, Sims, Clemens, Lubbock, Crane, Stephens, Cranford, McKinney, Townsend. Frank, Tyler. Maetze, Potrer, Finch, Weisiger, Garwood, Seale, Whatley.

NAYS-3.

Johnson, Kearby, Page.

ABSENT AND NOT VOTING.

Atlee, Glasscock, Mott, Burney, Ingram, Pope. Clark,

By Senator Simkins:

A bill to be entitled, "An act to amend section 17 of an act in relation to assignments for the benefit of creditors, and to regulate the same and the proceedings thereunder. March 24, A. D. 1879. Approved

Referred to Judiciary Committee

No. 1.

Senator Tyler made the following report:

COMMITTEE ROOM. Austin, Jan. 20, 1890.

Hon. W. H. Burges, President pro tem. of the Secrete.

Your Judicary committee No. 2, to whom was referred Senate bill No. 87 entitled "An act to amend an act to amend article 318, chapter 4, title 9

of the penal code of the state of Texas, passed by the Twenty-first Legislature and approved 1889,'

Have had the same under consideration and instruct me to report it back to the Senate with the recommendadation that it do pass.

All of which is respectfully sub-

mitted.

TYLER, Chairman.

Senator Tyler made the following report.

COMMITTEE ROOM. Austin, Jan. 20, 1891

Hon. W. H. Burges, President pro

tem. of the Senate.

Your Judiciary committee No. 2, to whom was referred Senate bill No 41, entitled "An act to prohibit prize fighting within this State or sending or accepting a challenge to fight a prize fight within this State or to act as a second or knowingly aid or assist those thus offending and provide a punishment therefor,"

Have had the same under consideration and intruct me to report it back to the Senate with recommendation

that it do pass.

All of which is respectfully submitted.

> TYLER, Chairman.

Senator Tyler made the following report:

> COMMITTHE ROOM, Austin, January 20, 1891.

Hon. W. H. Burges, president protem of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 4, entitled "An act to amend article 320. chapter 4, title 9 of the penal code of the state of Texas, relating to the carrying of arms in church or other assembly and to increase the punishment for this offense." have had the same under consideration and instruct me to report it back to the Senate

pass, with the following amendment: Amend by striking out the word "shah" where it last occurs in the bill and inserting the words "may in addition thereto"

with the recommendation that it do

All of which is respectfully submitted. TYLER,

Chairman.

Senator Tyler made the following report:

> COMMITTEE ROOM. Austin, January 20, 1891.

Hon. W. H. Burges, president protem. of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 11, entitled "An act requiring railway companies to provide separate coaches for white and

colored passengers,"

Have had the same under consideration and instruct me to report it back to the Senate with the recom-though the depositions shall have mendation that it be referred to the been taken the defendant shall have

who are now considering several other bills involving the same subject mat-

All of which is respectfully submit-TYLER.

Chairman. The bill was referred to Committee on Internal Improvements.

Senator Townsend offered the fol-

lowing resolution:

Resolved, That the Senate chamber be opened and lighted this evening during the inaugural ball for the accommodation and comfort of our visitors. Provided that same shall be under the supervision of the sergeant-at arms of the Senate.

Townsend, Colorado.

Adopted.

Senate bill No. 15 on second read-

Senator Stephens explained object of the bill.

Senator Sims offered the following

amendment:

filing been word Amend inserting. after given" the words the `**'by**-` line words written notice stuck up at three public places in the county proposed to be organized or reorganized."

On motion of Senator Carter the bill with amendment was postnoned and made special order for Friday

23rd instant after morning call.

Senator Tyler made the following report:

> COMMITTE ROOM. Austin, Jan. 20, 1891.

Hon. W. H. Burges, President pro tem of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 17, entitled "An act to amend article 758, chapter 8, title 8, of the code of criminal procedure,

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass with the follow-

ing amendments:

First. Provided that nothing herein shall be construed as denying to the defendant the right to have the personal attendance of his witnesses on the trial of his case, and in case of the failure of defendant to take depositions the same shall not be construed as a want of diligence.

Second. And provided further that Committee on Internal Improvements, the right to have the personal attendance of his witnesses on the trial of his

Ail of which is respectfully submitted.

TYLER. Chairman.

Bill read first time,

Postponed and Made special order for Thursday, 22nd instant, after morning call

Senator Townsend offered the fol

lowing resolution:

Resolved, That the superintendent of public buildings and grounds be requested to light the dome of the capitol tonight in honor of the inaugura-

Adopted.

Senator Potter moved that the Senate now take recess until 11:45 a. m.

Senator Simkins made a motion that when the Senate adjourn it do so until day after tomorrow.

Senator Kimbrough offered the fol-

lowing bill:

A bill to be entitled "An act to amend article 4390a of the revised civil statutes, title 87, chapter 1, as amended February 5, 1884, by the Eighteenth Legislature of the State of Texas."

Referred to Committee on Roads

and Bridges.

On motion of Senator Frank the

Senate took recess till 11:45 a.m.

After recess the president called the Senate to order, and directed the secretary to read the following communication:

STATE INSTITUTION FOR THE BLIND, Austin, Tex., Jan. 19, 1891.

Hon. George Pendleton, President of

the Senate:

DEAR SIR-Please do me the favor to invite the members of the Senate to visit the Institution for the Blind whenever it may suit their inclination and convenience.

Yours Sincerely, FRANK RAINEY, Superintendent Institute.

On motion of Senator Glasscock the Senate accepted the invitation.

The President pro tem made a farewell address to the Senate.

Senator Glasscock moved that the addre-s be placed in the journal.
Senator Tyler offered the following

resolution:

Resolved, that the thanks of the Senate of the Twenty-second Legislature are hereby tendered to the Hon. W. H. Burges, president pro tem. of the Senate, for the courtesy and fairness with which he has presided over the Senate, and that his patriotic self-sac- and can be relied upon in connection

rifice in leaving a bed of sickness to come to Austin to preside over the Senate in the absence of the lieutenant governor, entitles him to the greatful consideration of the Senate and of the people of Texas and that our best wishes occompany him to his home and fireside.

On motion of Senator Carter the foregoing resolution was unanimously adopted by a rising vote.

Senator Glasscock repeated his mo-

Senator Page seconds the motion.

Adopted unapimously.

Senator Simkins moved that when the Senate adjourns it do so until tomorrow at 11 a. m.

 ${f Adopted}.$

The Senate withdrew to the hall of the House of Representatives to attend the inauguration of the governor and lieutenant governor.

(IN SENATE.)

Lieut. Gov. Geo. C. Pendleton in the chair.

The president made a short address upon assuming the chair, which, on motion of Senator Potter, was ordered to be printed in the Journal, together with the inaugural addresses of the governor and lieutenant governor.

Gentlemen of the Senate:

Called by the people of the State to preside over your honorable body, I approach the performance of the duties incident to the position with a distrust of my ability to properly discharge them, but with a determination that any deficiencies shall result from incapacity and not from inten-

I shall regard every member of the Senate as my friend and shall have no preferences among friends. This rule I have endeavored to pursue in the organization of committees and the assignment of chairmanships, and if some believe that they have been overlooked and others unduly prefered, I beg that they will place themselves in my situation and then exercise that charity which should prevail between right thinking men.

Mistakes have doubtless been made, "to err is human," but my own conscience will bear me witness that my purpose and highest desire has been to do all in my power to promote such legislation as is demanded by the people, and will advance their highest

Coming fresh from their presence and counsels, you know their wishes,

with the other legislative partment of the state, to guard the execute justice, rights and interests of the people, and protect them from encroachments whether in the guise of the cormorant or commune.

Senator Townsend announced the appointment of W. F. Lynn as clerk to Committee on Judicial Districts and

Penitentiary committee.

Senator Stephens made the following committee reports.

COMMITTEE REPORT.

COMMITTEE ROOMS, Austin, January 20, 1891.

Hon. W. H. Burges, president pro tem.

of the Senate:

Your Committee on Counties and County Boundaries to whom was referred Senate bill No. 49, entitled, "An act to diminish the civil and criminal jurisdiction of the county court of Ochiltree county," have had the same under consideration, and instruct me to report it back to the Senate, with the recommendation that it do pass with the following amendments:

Amend caption by adding the words 'and Roberts county" after the word Ochiltree county. And amend sections Nos. 1, 2 and 3 by adding the words, "and Roberts county" after the words Ochiltree county, wherever it occurs in

said sections.

All of which is respectfully submitted,

STEPHENS, Chairman.

COMMITTEE REPORT.

COMMITTEE ROOM,
Austin, January 20, 1891.
To the Hon. Geo. C. Pendieton, president of the Senate:

Your committee on County and County boundaries to whom was re-

ferred

Senate bill No. 102, entitled "An act to amend chapter 2, title 22 of the revised civil statutes of the state of Texas by adding thereto articles 670a, 670b, 670c, 670d, 670e, 670f and 670g,"

Have had the same under consideration and instruct me to report it back to the Senate with the recommenda-

tion that it do pass.

Which is respectfully submitted.
STEPHENS,
Chairman.

And the bills were ordered printed. Senator Page offered the following resolution:

Resolved, That the Senate of Texas extend an invitation to Gen. James

de- Longstreet to visit the capital of to Texas.

Adopted.

The President gave notice of signing, and signed in the presence of the Senate, House bill No. 60, entitled "An act making an appropriation for the mileage and per diem pay of the members, and the per diem pay of the officers and employes of the Twenty-second Legislature."

And House bill No. 61, entitled "An act making an appropriation to defray the contingent expenses of the Twenty-

second Legislature."

On motion of Senator Johnson Senaator Atlee was excused for yesterday and today on account of sickness, and Senator Clark for today for the same

On motion of Senator Townsend the Senate adjourned till tomorrow at 11

a. m

RIGHTH DAY.

SENATE CHAMBER, Austin, Texas, Jan. 21, 1891.

The Senate met pursuant to adjournment.

Lieutenant-Governor Pendleton in the chair.

Roll called.

The following senators answering to their names:

PRESENT-19. McKinney, Clemens, Crane, Maetz, Carter, Poster. Cranford, Stephens, Frank, Sims. Tyler, Glasscock, Garwood, Townsend, Whatley, Ingram, Kimbrough, Weisiger. Lubbock,

Atlee, Kearby, Burney, Mort, Clark, Page, Finch, Pope, Harrison, Johnson. Simkins

No quorom being present, Senator Stephens moved a call of the Senate, which was ordered. The roll being called, the following result was shown:

Carter, Kimbrough, Crane, Lubbock, Clemens, McKinney, Cranford, Frauk, Finch, Page, Potter,